

- HCU



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: HUSSAIN=1A

In re Application of:)	Confirmation No.: 5622
)	
Mehboob HUSSAIN)	Art Unit:
)	
Appln. No.: 10/676,261)	Examiner:
)	
Filed: October 2, 2003)	Washington, D.C.
)	
For: ADULT BONE MARROW DERIVED)	November 4, 2004
STEM CELLS)	
)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an

attachment hereto. A copy of each document listed is attached, except as explained below.

[X] Document(s) AA is a U.S. patent(s) and/or published application(s). 37 CFR §1.98(a)(2)(ii) does not require the filing of legible copies of U.S. patents or U.S. patent application publications unless required by the Office.

[X] 3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[X] 4. Other information being provided for the examiner's consideration follows:

Attached is a copy of the International Search Report

5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

By:

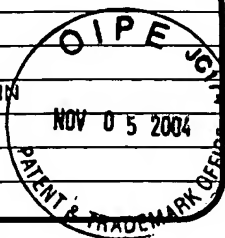


Allen C. Yun
Registration No. 37,971

ACY:pp
624 Ninth Street, N.W., Suite 300
Washington, D.C. 20001-5303
Telephone: (202)628-5197
Facsimile: (202)737-3528

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/676,261
		Filing Date	October 2, 2003
		First Named Inventor	Mehboob HUSSAIN
		Group Art Unit	
		Examiner Name	
Sheet 1	of 1	Attorney Docket Number	HUSSAIN1A



U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-6,261,549 B1	07-17-2001	FERNANDEZ et al.	
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code*	Number* Kind Code ³ (if known)			
	AB	WO	00/50048	08-31-2000	UNIVERSITY OF PITTSBURGH OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		
	AC	HOLDEN et al., Time for a reappraisal, <u>Science</u> , 296:2126-2129 (2002)		
	AD	KHADEMHOSEINI et al., <i>In vitro</i> differentiation of bone marrow derived Lin-CD45 ⁺ Sca-1 ⁺ c-kit ⁺ cells into hepatocyte-like cells, <u>Blood</u> , 98(11)548a (2001)		
	AE	SHORT et al., Prospective isolation of stromal progenitors from mouse compact bone, <u>Blood</u> , 98(11)293a (2001)		

Examiner Signature	Date Considered
-----------------------	--------------------

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.